

AMENDED IN ASSEMBLY MAY 16, 2001

AMENDED IN ASSEMBLY MAY 2, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1202

**Introduced by Assembly Member Harman
(Coauthor: Assembly Member Nation)**

February 23, 2001

An act to amend Sections 798.24 and 798.51 of the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

AB 1202, as amended, Harman. Mobilehome parks: meetings.

Existing law specifies the rights of homeowners and residents of a mobilehome park to use the mobilehome park. *Existing law provides that a homeowner may not be required to obtain liability insurance to use common area facilities for specified purposes.*

This bill would provide that, ~~except as specified,~~ a homeowner or resident may not be charged a cleaning deposit ~~or required to obtain a liability insurance binder~~ to use the mobilehome park recreation hall or clubhouse for meetings of resident organizations ~~or~~ for purposes authorized in existing law, even if guests and visitors from outside the park are invited to attend the meeting, if a homeowner or resident of the park is hosting the meeting and all homeowners or residents of the park are allowed to attend. The bill would specify ~~that additional restrictions on requirements for liability insurance, and would permit park owners and management to require liability insurance if alcoholic beverages are to be served at a meeting or private function.~~ The bill would also

permit park owners and management ~~may~~ to prohibit the consumption of alcohol if it is prohibited by the terms of the rental agreement or the rules and regulations of the park, ~~and that~~. *The bill would also require* a homeowner, organization, or group of homeowners using the recreation hall or clubhouse ~~must~~ to adhere to any limitations on parking and maximum occupancy.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.24 of the Civil Code is amended to
2 read:

3 798.24. Each common area facility shall be open or available
4 to residents at all reasonable hours and the hours of the common
5 area facility shall be posted at the facility. ~~No homeowner shall be~~
6 ~~required to obtain liability insurance in order to use common area~~
7 ~~facilities for the purposes specified in Section 798.51, except as~~
8 ~~provided by that section.~~

9 SEC. 2. Section 798.51 of the Civil Code is amended to read:

10 798.51. No provision contained in any mobilehome park
11 rental agreement, rule, or regulation shall deny or prohibit the right
12 of any homeowner or resident in the park to do any of the
13 following:

14 (a) Peacefully assemble or meet in the park, at reasonable hours
15 and in a reasonable manner, for any lawful purpose. Meetings may
16 be held in the park community or recreation hall or clubhouse
17 when the facility is not otherwise in use, and, with the consent of
18 the homeowner, in any mobilehome within the park.

19 (b) Invite public officials, candidates for public office, or
20 representatives of mobilehome owner organizations to meet with
21 homeowners and residents and speak upon matters of public
22 interest, in accordance with Section 798.50.

23 (c) Canvass and petition homeowners and residents for
24 noncommercial purposes relating to mobilehome living, election
25 to public office, or the initiative, referendum, or recall processes,
26 at reasonable hours and in a reasonable manner, including the
27 distribution or circulation of information.

28 ~~(d) Except as provided in subdivision (c), a~~ A homeowner or
29 resident may not be charged a cleaning deposit ~~or required to~~

1 ~~obtain a liability insurance binder~~ in order to use the park
2 recreation hall or clubhouse for meetings of resident organizations
3 ~~or~~ for any of the purposes stated in Section 798.50 and this section,
4 whether or not guests or visitors from outside the park are invited
5 to attend the meeting, if a homeowner or resident of the park is
6 hosting the meeting and all homeowners or residents of the park
7 are allowed to attend.

8 (e) ~~If~~ *A homeowner or resident may not be required to obtain*
9 *liability insurance in order to use common area facilities for the*
10 *purposes specified in this section and Section 798.50. However, if*
11 *alcoholic beverages are to be served at any meeting or private*
12 *function, a liability insurance binder may be required by the park*
13 *ownership or management. The ownership or management of a*
14 *mobilehome park may prohibit the consumption of alcoholic*
15 *beverages in the park common area facilities if the terms of the*
16 *rental agreement or the rules and regulations of the park prohibit*
17 *it.*

18 (f) A homeowner, organization, or group of homeowners using
19 a ~~resident~~ recreation hall or clubhouse pursuant to this section
20 shall be required to adhere to any limitations or restrictions
21 regarding vehicle parking or maximum occupancy for the
22 clubhouse or recreation hall.

